

Odidi et al.
Application No. 09/845,497
Docket No. 9577-25 LAB

REMARKS

Entry of this amendment to place the claims in better form for consideration on appeal is respectfully requested.

Regarding the Specification

Paragraph [57] of the specification has been amended to recite "in accordance to USP 23 NF 18." Previously, this paragraph read "in accordance to USP 231NF 18." The number "231" in citing this document is a typographical error, and would clearly be recognized as such by one of ordinary skill in the art. There is no such document named "USP 231NF 18." In contrast, USP 23 NF 18 is a well known publication of the United States Pharmacopeia/National Formulary (USP/NF). Therefore, with this amendment, no new matter has been added.

Regarding the Claims

Claim 1 has been amended to recite "a capsule, tablet, pellet, or bead..." This amendment has been made to provide proper antecedent basis for Claims 28 and 29, which depend upon Claim 1, and which also recite "a capsule, tablet, pellet, or bead..." Previously, "bead" was not present in Claim 1.

Claim 28 has been amended to recite "greater than 24 hours" instead of the originally submitted "greater than 4 hours." Basis for this amendment may be found at page 3, paragraph 37 of the specification. Therefore, no new matter has been added. In like manner, Claim 29 has also been amended to recite "greater

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than 24 hours" in two instances instead of the originally submitted "greater than 4 hours."

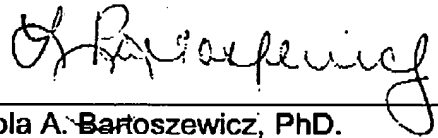
Claim 31 has been amended in the first paragraph following the preamble to recite "a capsule, tablet, pellet, or bead..." This amendment has been made to provide proper antecedent basis for the second paragraph, which includes "beads." The second paragraph has also been amended to recite "capsules," as well as "tablets, pellets, or beads."

If for any reason the Examiner believes that a telephone conference might facilitate the entry of this Amendment prior to Appeal, he is respectfully requested to call Applicants' agent, Lola A. Bartoszewicz, referencing docket number **9577-25 LAB**.

Respectfully submitted,

SIM & McBURNEY

By


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